

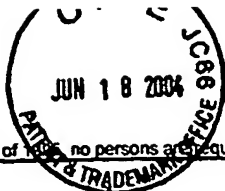


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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2**Complete if Known**

Application Number	10/665,522
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	1615
Examiner Name	H. SHEIKH
Attorney Docket Number	107664.115 US13

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
JS		US- 2004/0092597	05-13-2004	Stamm et al	
		US- 2004/0058005	03-25-2004	Stamm et al	
		US- 2004/0058004	03-25-2004	Stamm et al	
		US- 2004/0057999	03-25-2004	Stamm et al	
		US- 2004/0057998	03-25-2004	Stamm et al	
		US- 2004/0057997	03-25-2004	Stamm et al	
		US- 2003/0104060	06-05-2003	Stamm et al	
		US- 2003/0104051	06-05-2003	Stamm et al	
		US- 2002/0168413	11-14-2002	Stamm et al	
		US- 2002/0114839	08-22-2002	Stamm et al	
JS		US- 2002/0009496	01-24-2002	Stamm et al	
		US- 5,073,379	12-17-1991	Klimesch et al	
		US-			
		US-			
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

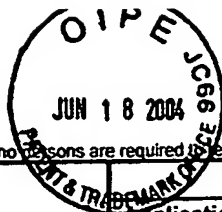
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
JS		EP 0 952 829 B1	03-05-2003	Stamm et al		
		EP 0 761 208 A1	03-12-1997	Duclos et al		
		WO 98/31361	07-23-1998	Stamm et al		
JS		WO 96/01621	01-25-1996	Stubberud et al		
		WO 82/01649	05-27-1982	Laruelle		

Examiner  
Signature*James J. O'Neill*Date  
Considered*10/27/05*

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PTO/SB/088 (08-03)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet

2

of

2

Application Number

10/665,522

Filing Date

September 22, 2003

First Named Inventor

Stamm

Art Unit

1615

Examiner Name

H. SHEIKH

Attorney Docket Number

107664.115 US13

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
af		Complaint, US District Court for the District of Delaware, Civil Action No. 04-350, Reliant Pharmaceuticals v. Abbott Laboratories et al (1 June 2004).	
/		Opposition to EP 0 952 829 (December 11, 2003) (English language translation).	✓
/		Opposition to EP 0 952 829 (December 11, 2003) (original French language document).	
gk		Handbook of Pharmaceutical Excipients, Second Edition, pages 392-399 (1994).	

Examiner  
Signature*Lumina Y Sheikh*Date  
Considered

10/27/05

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet	1	of	1
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**Complete if Known**

Application Number	10/665,522
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	1615
Examiner Name	H. SHEIKH
Attorney Docket Number	107664.115 US13

## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

[illegible]

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Sheet 1 of 2

...10,665,522

September 22, 2003

**Stamm**

16:15

H. SHEIKH

107664.115 US13

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>e</sup>
		Country Code <sup>2</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		/				

Sumera H Sheikh

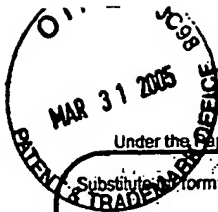
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10/7/105

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet

2

of

2

Application Number

10/665,522

Filing Date

September 22, 2003

First Named Inventor

Stamm

Art Unit

1615

Examiner Name

H. SHEIKH

Attorney Docket Number

107664-115 US13

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
JS		Declaration under 37 CFR Section 1.132 by Pascale Blouquin (with attachments).	
JS		Laboratories Fournier's Lab Notebook No. 1 (18 February 1997 to 15 May 1997).	✓
JS		Laboratories Fournier's Lab Notebook No. 2 (16 May 1997 to 30 July 1997).	✓

Examiner  
Signature

Pascale Blouquin

Date  
Considered


10/27/05

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Substitute for form 1449/PTO.  <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>		<h3 style="text-align: center;">Complete if Known</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/665,522</td> </tr> <tr> <td>Filing Date</td> <td>September 22, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Stamm</td> </tr> <tr> <td>Art Unit</td> <td>1615</td> </tr> <tr> <td>Examiner Name</td> <td>H. S. HEIKH</td> </tr> <tr> <td>Attorney Docket Number</td> <td>107664-15 US13</td> </tr> </table>		Application Number	10/665,522	Filing Date	September 22, 2003	First Named Inventor	Stamm	Art Unit	1615	Examiner Name	H. S. HEIKH	Attorney Docket Number	107664-15 US13
Application Number	10/665,522														
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First Named Inventor	Stamm														
Art Unit	1615														
Examiner Name	H. S. HEIKH														
Attorney Docket Number	107664-15 US13														
Sheet 1	of 4														

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
JS		US- 4,344,934	08-17-1982	Martin et al	
		US- 2005/0032878 A1	02-10-2005	Deboeck et al	
		US- 4,961,890	10-09-1990	Boyer	
		US- 6,159,499	12-12-2000	Seth	
		US- 6,207,198 B1	03-27-2001	Seth	
		US- 6,248,355 B1	06-19-2001	Seth	
		US- 4,795,643	01-03-1989	Seth	
		US- 5,824,341	10-20-1998	Seth et al	
		US- 6,096,341	08-01-2000	Seth	
		US- 6,033,686	03-07-2000	Seth	
		US- 6,048,547	04-11-2000	Seth et al	
		US- 6,117,453	09-12-2000	Seth et al	
		US- 6,348,469 B1	02-19-2002	Seth	
		US- 4,436,743	03-13-1984	Schonafinger et al	
		US- 4,716,033	12-29-1987	Denick, Jr.	
		US- 4,558,058	12-10-1985	Schonafinger et al	
		US- 4,957,746	09-18-1990	Valducci	
	JS		US- 4,806,361	02-21-1989	Harrison et al
		US- 4,820,521	04-11-1989	Panoz et al	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
JS		WO 96/21439	07-18-1996	Galephar P.R. Inc.		
		WO 03/013500	02-20-2003	Laboratoires SMB SA		
		EP 0 012 523	06-25-1980	American Home Products		
		WO 97/12580	04-10-1997	Pharma Pass		
JS		EP 0 179 583	04-30-1986	Merck & Co.		
		EP 0 193 958	09-10-1986	PPG Industries, Inc.		

Examiner Signature: <i>Vanessa M. Smith</i>	Date Considered: 10/27/05
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Application Number	10/665,522
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First Named Inventor	Stamm
Art Unit	1615
Examiner Name	H. SHEIKH
Attorney Docket Number	107664.115 US13

Sheet

2

of

4

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
JS		Opposition to EP 952 829 by Winthrop Arzneimittel GmbH filed March 31, 2005.	
		Opposition to EP 952 829 by Laboratoires SMB S.A. filed April 11, 2005.	
		Papers filed on April 15, 2005, by Ethypharm in Response to Patent Proprietor's Statement for Opposition to EP 952 829.	
		Guichard et al, "A New Formulation of Fenofibrate: Suprabioavailable Tablets," Current Medical Research and Opinion, 16(2):134-138 (2000).	
		Kuchiki et al, "Stable Solid Dispersion System Against Humidity," Yakuzaigaku, 44(1):31-37 (1984).	
		Pharmaceutical Pelletization Technology, Ghebre-Sallassie, Ed., Marcel Dekker, Inc., New York, Chapters 7 & 10 (1989).	
		Giunchedi et al, International Journal of Pharmaceutics, 130:41-47 (1996).	
		Shah et al, International Journal of Pharmaceutics, 125:99-106 (1995).	
		Suzuki et al, Chem. Pharm. Bull. 49(4):373-378 (2001).	
JS		Sangalli et al, Boll. Chim. Farmaceutico, 128(7-8):242-247 (1989).	

Examiner Signature	<i>Sumera H. Sheikh</i>	Date Considered	10/27/05
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**Complete if Known**Sheet **3** of **4**

Application Number	10/665,522
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	11015
Examiner Name	H. J. HEIK
Attorney Docket Number	107664.115-US13

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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JS		US- 4,663,150	05-05-1987	Panoz et al	
		US-			
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		Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
JS		WO 96/04892	02-22-1996	Pharma Pass		
		EP 0 122 077	10-17-1984	Elan Corp.		
		EP 0 164 959	12-18-1985	Sterwin AG		
		EP 0 168 360	01-15-1986	Valducci		
		EP 0 239 541	09-30-1987	Warner-Lambert Co.		
		EP 0 256 933	02-24-1988	Ethypharm		

Examiner  
Signature*James A. Buehler*Date  
Considered

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/665,522
		Filing Date	September 22, 2003
		First Named Inventor	Stamm
		Art Unit	11015
		Examiner Name	A. SHEIKH
Sheet 4 of 4	Attorney Docket Number		107664.115 US13

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
JS		European Pharmacopoeia, 3rd Edition, pages xiii-xvii and 127-131 (1996).	
		Remington's Pharmaceutical Sciences, 18th Edition, pages 1633-1665 (1985)	
		Handbook of Pharmaceutical Excipients, 2nd Edition, pages 48-87, 141-144, 229-232, 252-261, 280-282, 392-401, 424-427, 448-450, 462-469, 491-493 (1994).	
		The United States Pharmacopoeia, Vol. 23, pages liv-lvi, 1791-1793, 1924-1938 (1994).	
		International Dictionary of Medicine and Biology, Volume 2, page 1774, John Wiley & Sons, Inc. (1986).	
		Boullay, "Microgrinding and Dissolution," S.T.P. Pharma, 1(4):296-299 (1985). (French-language document and English-language translation)	✓
JS		CRC Handbook of Chemistry & Physics, 73rd Edition, Chapter 15, Page 32 (1992).	

Examiner Signature	<i>Sumera H. Sheikh</i>	Date Considered	10/27/05
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